

EPA COMMUNITY MEETING FOR THE  
SITE ACTIVITIES UPDATE  
WEST COUNTY ROAD 112  
MIDLAND, MIDLAND COUNTY, TEXAS  
HELD APRIL 12, 2011  
MIDLAND CENTER, MIDLAND, TEXAS

1                   MR. MALOTT: Thanks for coming out. My  
2 name is Vincent Malott. I am with the EPA out of  
3 Dallas. I won't use the microphone. I think my voice  
4 will carry loud enough in the room here. If it does  
5 not, let me know and I will speak a little louder.

6                   The reason we're here is for the West  
7 County Road 112 Groundwater Superfund Site, which was  
8 just proposed last year in 2010, and it was made final  
9 in March of this year.

10                  Before we start the proceedings, Linda  
11 will address some of the issues as far as translation.

12                  (INTERPRETER SPEAKING)

13                  MR. MALOTT: Some of these images, I just  
14 scrolled through here. They don't show up real well  
15 from back there. You may not be able to see them. I'll  
16 go through a short presentation to explain to you where  
17 we're at, at this point. We're just starting the  
18 investigation, some of the activities that we've done to  
19 date. There are a series of maps that we've prepared  
20 for the site, and those may not be legible. You may not  
21 be able to see from back there.

22                  After the presentation, questions and  
23 answers, I will be happy to show them to you on the  
24 laptop, if you want to see more detail of where your  
25 property is or your house is. We could try and enlarge

1     some on the screen, but the resolution from this  
2     projector on this screen is not all that great. So  
3     there's going to be some limitations, but I will be  
4     happy to stay here as long as necessary. And I believe  
5     we have the room until 8:00, maybe a little bit longer.  
6     So my time is your time.

7                 We also have representatives from the  
8     Texas Commission on Environmental Quality. If you have  
9     questions regarding the filtration systems, the sampling  
10    performance of those systems, they are available to talk  
11    with you, as well.

12                If you have health questions regarding  
13    your groundwater, how it may have impacted your health  
14    or your other concerns, we have representatives from the  
15    Texas Department of Health Services, and they're here,  
16    as well.

17                So after the presentation and questions  
18    and answers, feel free to talk with them. They're the  
19    folks in the blue shirts, and they will be happy to help  
20    you.

21                I am a geologist by training. I have been  
22    with the EPA for about 24 years. I have been a project  
23    manager for Superfund sites since 1997. Before that, I  
24    have been doing other corrective action sites for the  
25    EPA.

1                   Two sites were actually added to Midland  
2 County. These are Federal Superfund sites. One is the  
3 Midessa site, which is located west of the airport.  
4 It's this red -- or this purple square area down here  
5 close to the Midessa RV Park. And then the West County  
6 Road site is up here to the northeast, about -- a little  
7 under nine miles apart.

8                   EPA is going to be investigating both of  
9 these sites on essentially the same timeline and the  
10 same path. For us, it's a cost efficiency. Both of  
11 these are funneling sites; that is, the EPA is paying a  
12 hundred percent of the cost of the investigation and  
13 sampling.

14                  So when we have contractors,  
15 subcontractors doing work on one project, they can  
16 transition to the other site and work on ours, as well.  
17 However, what we're here for tonight is the West County  
18 Road 112 site.

19                  So here is a presentation outline, some of  
20 the topics that I'm going to cover tonight. We're not  
21 limited to this, but as far as the information that I  
22 have, I'll talk about this first. I'll be happy to  
23 answer other questions, or if there's other issues that  
24 need to be clarified.

25                  And as we go along, if we develop more

1 information, we will be expanding the data, the maps,  
2 the presentation, to try to provide more answers. We  
3 are limited to the data that we have on-hand. And that  
4 is the purpose of the investigation out here at the site  
5 is to collect more data.

6 So we'll start with the existing chromium  
7 standard. Essentially, what we're working with at this  
8 point, we are dealing with a chromium standard under the  
9 Safe Drinking Water Act, which is 100 micrograms per  
10 liter. That's what we see commonly referred to in  
11 regards to the groundwater plume out at the site.  
12 That's what, at this point, we are using to define what  
13 is above an action level for us regarding filtration  
14 systems or even at this point, remediation; however,  
15 we're not at that point for remediation.

16 We are coming out with a new toxicological  
17 assessment of hexavalent chromium that will be looking  
18 at the infiltration effects from the hexavalent chromium  
19 and how this impacts. Obviously, childrens' health will  
20 be a primary factor in assessing any kind of new  
21 standard. I do not have a timeline at this point of  
22 when that standard may change.

23 The only information that I'm able to gain  
24 at this point is that a draft assessment will be  
25 available by the end of the year. From there, as they

1       finalize that data, I will be able to use it as a risk  
2       assessment to determine if a lower standard cleanup will  
3       be available besides the 100 micrograms.

4               RESIDENT: Is that -- now, your total  
5       chromium standards, is that just hexavalent chromium or  
6       is that total?

7               MR. MALOTT: That's total, and regardless  
8       of whether it's trivalent or hexavalent. And let me go  
9       ahead -- we have already started looking at the issue of  
10      hexavalent and trivalent in the samples that we have  
11      collected to date. What we find is that for the most  
12      part, 95 percent or so of the total chromium is  
13      hexavalent chromium. We will continue to assess the  
14      ratio between trivalent and hexavalent. So for us, it  
15      essentially works out to be mostly hexavalent.

16              RESIDENT: So that's 95 percent is what we  
17      can go on, because while we're waiting for the EPA's  
18      test results for the last four months, we had our -- we  
19      privately drew ours, and it was substantially different  
20      than what the EPA got. Now, I got the other one, but it  
21      was substantially different. So is your test results  
22      that you just gave me last week, is that a total  
23      chromium?

24              MR. MALOTT: That is a total chromium. We  
25      ran certain wells to see what kind of a range we would

1 have on high and low concentrations. Most of ours are  
2 low concentrations in comparison, but we saw, for the  
3 most part, most of it is composed of hexavalent  
4 chromium.

5 Now, the test for hexavalent and total  
6 chromium is different. And the holding times are  
7 different. And for us, analyzing for total chromium is  
8 a method that we use for comparison for a lot of sites.  
9 But knowing that most of the contamination is  
10 hexavalent, you know, that's something that we can use  
11 data to move along. As we need to define this for a  
12 risk assessment, then we can run that separate analysis.

13 But for the most part, we will be running  
14 total chromium as a way to compare. That is what the  
15 drinking water standard is based on is total chromium.

16 RESIDENT: But right now, you guys are  
17 going out in the field, are you not -- correct me if I'm  
18 wrong, please. Are you drawing a heavy metal sample on  
19 some wells and then some wells you're drawing both heavy  
20 metal and hexavalent?

21 MR. MALOTT: On this same -- on this  
22 sampling we are doing --

23 RESIDENT: On this sampling this week.

24 MR. MALOTT: Only totals.

25 RESIDENT: How come there was two bottles

1 coming out of one well and only one bottle coming out of  
2 the well?

3 MR. MALOTT: We can do duplicates.

4 RESIDENT: One was little and one was big.  
5 I was told the big one was heavy metals and the little  
6 one was hexavalent chromium.

7 MR. MALOTT: We did that on the last  
8 sample, the one in November. We drew a certain number  
9 of wells just to see what kind of hexavalent ratio we  
10 had for those wells.

11 RESIDENT: You just did it on the sampling  
12 yesterday.

13 MR. MALOTT: Luis, do we have -- oh, we do  
14 have some hex?

15 MR. LUIS VEGA: We are doing about  
16 25 percent.

17 RESIDENT: I was wondering whose Ouija  
18 board you were seeing to determine where this plume is  
19 going.

20 MR. MALOTT: The plume is on total, not  
21 hexavalent.

22 RESIDENT: And don't apologize for the  
23 quality of that slide, because I had to leave my  
24 magnifying glass at home because it was embarrassing.

25 MR. MALOTT: Because of the size of the



1 area, it is difficult to see on that figure, especially  
2 roads.

3 So the sampling events that we had, the  
4 one that we did on November 29th, the one that's ongoing  
5 this week, we expect that by -- we have a 21-day  
6 turn-around time for the samples, so the 21-day clock  
7 starts at the end of this week. So essentially three  
8 weeks after this week, we'll have the draft results that  
9 we'll share with TCEQ. So if any wells go over the  
10 drinking water limit, we'll share that data as soon as  
11 we receive it, so that we can then assess whether the  
12 filtration system needs to be installed.

13 It takes our lab about two weeks to do  
14 validation on the data and make it final, make sure  
15 there are no errors. Then at that point, we will get it  
16 mailed out. We were slow in getting this data sent out.  
17 I apologize for that, but we made some corrections on  
18 our database. I have already heard from some people  
19 here who received their letters, and I will discuss that  
20 on the next couple of slides.

21 But we will do a better job as far as  
22 getting that data out to you quicker, now that we've got  
23 some issues resolved in our database, make sure  
24 addresses are correct and getting those letters. So we  
25 are changing some formats for that.

1                   Our next sampling event, site-wise, is  
2                   August. The State also has a sampling event planned in  
3                   May for the filtration systems, and we will be  
4                   collecting samples from those wells, to start seeing  
5                   what kind of high concentration and what kinds of  
6                   changes we've had in previous years.

7                   So this is the map with poor quality that  
8                   people cannot see because it's such a large area, and we  
9                   will have to change the format in order to make this a  
10                  little more legible.

11                  Maybe we can only show the bottom portion  
12                  of the map in the large scale. That might assist, that  
13                  way people can see where their properties are in  
14                  relation to the plume. We tried to show the entire area  
15                  on that figure, and on an 8-1/2 by 11, it is difficult,  
16                  but we're trying to share the data on the form.

17                  (Inaudible question from public)

18                  THE REPORTER: I'm sorry. Can you speak  
19                  up louder, please?

20                  MR. MALOTT: I'm sorry. We also have a  
21                  court reporter here present, and the reason is because  
22                  we wanted to capture all the comments so that we could  
23                  do a question/answer --

24                  RESIDENT: I would just like to know why  
25                  this isn't on our site where we can go see the EPA.

1 MR. MALOTT: We've got maps on our site.  
2 And now this is the latest one, and I don't recall right  
3 now whether that map is the same. We do have other data  
4 that's on there, but this will be posted on there for  
5 the next update. So you'll have that as a PDF file,  
6 which is larger.

7 RESIDENT: Yeah, I just went to the site a  
8 couple of days ago and there -- it wasn't there.

9 MR. MALOTT: On the Region 6 web site or  
10 the national?

11 RESIDENT: Our specific site, the site for  
12 the e-mail.

13 MR. MALOTT: The West County Road site had  
14 been dropped off the status study sites for a couple of  
15 months. I'm not sure why. They moved our internet site  
16 around a little bit. We will -- I will go back and  
17 check on that and make sure it gets posted.

18 RESIDENT: Yeah, I couldn't find it off  
19 your site by the project when I was looking for it on  
20 the update, but I wanted to try to see this map and the  
21 quality there, and we want to see this map before we can  
22 see our test results.

23 MR. MALOTT: The fact sheet that we sent  
24 out -- and again, I will explain, the results we are  
25 trying to get captured in a letter that shows the ranges

1 of concentration, so this next one will come out sooner  
2 so you'll have that about the same time or before the  
3 map.

4 (Reporter admonition to speak up)

5 MR. MALOTT: Yes. So the sample result  
6 letter that went out that's causing confusion at this  
7 point, what we showed is the metals -- commonly detected  
8 metals in the samples for -- collected from the private  
9 wells, what I tried to show here is the ranges and  
10 concentrations. That's not specific for your well, but  
11 for all the samples that were collected.

12 And then on the far right column was the  
13 drinking water standard. And so people have had  
14 questions as to what does that data mean for their well?  
15 And in this case, it was just to give a broader  
16 background to see where your well fit in with the total  
17 site.

18 And so if you looked and saw what your  
19 concentration is, you can see whether you are higher or  
20 lower than the range or within that range.

21 And so this is the part that you're not  
22 going to be able to see, but the lab data sheet that  
23 came in had a number of columns. And the ones that are  
24 important is the one that has the metals listed under  
25 anilite, and then the concentration here and then on the

1 far right is the well number. And so based on the  
2 comments that I've received so far, basically people  
3 said the letters are not useful for us; that is we don't  
4 know what this means for our well, whether our well is  
5 good or bad.

6 If your well had an exceedance of  
7 chromium, we would have already coordinated with TCEQ as  
8 far as installation of a filtration system. What we've  
9 seen, based on the sample results so far, is that a  
10 number of people have arsenic concentration over the  
11 drinking water limit. That is a factor of the geologic  
12 materials in the aquifer. In other words, that is part  
13 of the background concentrations. It's not related to  
14 the chromium plume. We have not seen a relationship  
15 with that. We will continue to look at this though.

16 The other contaminant or metal that we saw  
17 is lead. Lead is typically found in corrosion through  
18 funneling in pipes, or the lead solder that's used on  
19 pipes or the fixtures. Very infrequent where the lead  
20 detection is above the drinking water limit. But again,  
21 that's based on household use. And so we have included  
22 that data, as well.

23 But we will be re-sending out these  
24 letters with the data, with a better explanation so  
25 people understand how that data compares to the drinking

1 water standards. Since this has not been used, we're  
2 changing the format and re-send this data out. And then  
3 for the sampling data that we do this month, there will  
4 be sent out a -- have that in the format, as well. So  
5 we'll continue to make changes and make the data useful  
6 on in the year.

7 Again, this is from a distance. And the  
8 quality of the image here, this was the arsenic  
9 detections that we saw across the area. We saw arsenic  
10 all the way down here below County Road 120, well  
11 outside the plume area. We saw areas over here that  
12 were well outside the chromium plume that are also  
13 exceeding the drinking water limit. And it's just kind  
14 of a hit-and-miss, where your well is screened and the  
15 factor of well construction.

16 So far, what we have, we have been using  
17 the data from past investigations by both the State and  
18 other private parties, Schlumberger and Lear, using the  
19 well data provided in there.

20 We are using the data from the private  
21 wells to help build a plume back and see where we needed  
22 to start installing monitoring wells. We've done some  
23 limited geophysical logging with the US Geological  
24 Survey that provides us a better profile of what the  
25 aquifers are in this area. And I will show you examples

1 of that data.

2 And then we also plan to start  
3 installation of our monitoring wells here probably early  
4 in May. We'll use that data to start to identify our  
5 source areas. This plume -- or this site was listed as  
6 a groundwater plume with no identified source area. So  
7 we don't have a source area or even a responsible party  
8 at this point to pursue for cleanup or investigation of  
9 the site. That's why it's being conducted as a  
10 funneling by EPA for this area.

11 We'll also be looking at residential yards  
12 as a potential exposure pathway. There, the concern is  
13 the wells that have really high concentrations, do we  
14 have any kind of build-up of chromium in the soil, and  
15 is that another possible exposure pathway? So those  
16 yards that have the highest concentrations are the ones  
17 we'll be looking at to assess what kind of exposure we  
18 may have from that.

19 So the data that we have so far is, we  
20 have some of the chromium contamination that's been  
21 detected in what's called the Lear property. They have  
22 a -- quite a few wells installed in that area.

23 One of the facts that's interesting is a  
24 lot of that chromium contamination, though, is  
25 substantially less than what we have south of I-20. So

1 we know we have a release, but I don't know specifically  
2 if the release is all coming from their property or if  
3 it's coming from other adjacent properties.

4 There's another property nearby, B & W,  
5 which is right across the facility. People have  
6 probably heard that name. They also had a detection of  
7 chromium back in the, I guess, mid to late eighties.

8 Again, I don't know specifically that the  
9 release occurred on the property. So we may be looking  
10 at multiple source areas here or there is maybe one  
11 large source area. But that's one of the things that  
12 will be as part of the investigation.

13 We also have two other trichloroethane  
14 plumes. Yes, ma'am?

15 RESIDENT: When you're talking about  
16 source areas, have y'all taken a look at just to the  
17 west of where the old pit is? There was a company that  
18 was a pipe company where that whole area is now  
19 condemned. Have y'all looked at that?

20 MR. MALOTT: Well, we have not. Part of  
21 it is, in this case, if you look at the chromium plume,  
22 there's two water supply wells on this property here and  
23 both of those are clean.

24 RESIDENT: Right.

25 MR. MALOTT: I've looked at the well



1 records for those. Those wells are screened essentially  
2 across both aquifers. If there was chromium running in  
3 the upper aquifer or the Ogallala, then we should have  
4 had detection in those wells.

5 RESIDENT: Right.

6 MR. MALOTT: So that's kind of a  
7 benchmark. And that's immediately, I believe,  
8 downgradient from what you're talking about. So we'll  
9 be -- we needed to find exactly where the material is  
10 coming in from.

11 So the trichloroethane plume is coming in  
12 on the process area, just across the upper edge of the  
13 chromium plume, and just barely -- just crosses over  
14 I-20 there.

15 And then we have another small plume over  
16 here that's being handled through TCEQ for the Wood  
17 Group here, that they're addressing separately. So  
18 that's a smaller area, and that's outside our  
19 investigation.

20 These other investigations, they do give  
21 us existing background data, particularly groundwater  
22 flow velocity. Estimates have ranged from 60 to  
23 120 feet per year. If those velocities would hold true  
24 for this area, then that would indicate that the  
25 chromium plume, if it did originate north of I-20, is

1 very old.

2 Even if it originated south of I-20,  
3 that's still a fairly old plume, as far as when the  
4 release could have occurred. So one of the things we'll  
5 be assessing is exactly what kind of changes to the  
6 groundwater flow velocity and how did that impact the  
7 distribution of the chromium. And then, of course,  
8 using the existing monitoring wells to collect  
9 geophysical data.

10 So this is the general flow direction that  
11 we have, based on the existing data. As we install our  
12 own monitoring wells, we will be filling this out and  
13 adding to it.

14 And here is a geophysical log that we've  
15 collected from a monitoring well. This gives us a sense  
16 of the upper aquifer, which is the Ogallala. This is  
17 the one that appears to transmit the bulk of the  
18 contamination as it goes across I-20 and goes into the  
19 private residential well fields. We think the base of  
20 it is somewhere around this area, below 50 feet, maybe  
21 60 feet, as we prepared geophysical logs.

22 Here's another one. Both of these logs  
23 were prepared by the US Geological Survey. And it's  
24 estimated that our contact is somewhere in here between  
25 the two aquifers. What we've noticed between wells

1 completed above and below in the two sands is that we  
2 have water level elevations of up to two feet  
3 difference. So we know that the interval that separates  
4 those two is actually pretty good as far as water levels  
5 and flow.

6 What's happening, we think, is so far as  
7 the chromium plume is moving across in the Ogallala, as  
8 it intersects with private wells that are sand-packed or  
9 screened up into both aquifers, that provides a vertical  
10 drain den for it to migrate downward then to the Trinity  
11 aquifer, the lower one.

12 So as we move across we will be using this  
13 data to assess what the total impact is.

14 And this is -- especially sitting in the  
15 back, is pretty difficult. What we propose at this  
16 point is a series of wells, monitoring wells that we  
17 will be installing. Here right on the south end of this  
18 residential area, along 112 and 114, those wells we want  
19 to look at to see if both Ogallala and the Trinity are  
20 equally contaminated at that point. Because that  
21 changes, obviously, how we will do the cleanup out here  
22 at the site. If they're not, then it may give us some  
23 hope for expediting the cleanup, if this is a funneling  
24 Superfund site.

25 We have other wells we proposed in this

1 area to see what kind of impact from the pumping on  
2 these other private wells. As we move down to 120, down  
3 here across and all the way to the toe of the plume,  
4 we'll be looking at what the distribution of chromium is  
5 in the two aquifers, to assess what the impact is from  
6 the private wells.

7 We have a preliminary agreement with  
8 Midland County to access the right-of-ways on the county  
9 roads, so when we start the well installation program,  
10 you will see our rigs. That's where we'll be installing  
11 the wells out there in that area.

12 As we start to fill this in, we may be  
13 coming to private landowners to ask for access to  
14 install wells. But for now, we're going to try to  
15 install them on the right-of-ways to give us a broad  
16 perspective on what this plume is doing.

17 We also have been talking with TxDOT,  
18 Texas Department of Transportation, to access the  
19 service roads along I-20. What we're interested in here  
20 is whether the high concentrations of chromium, do they  
21 start south of I-20 or do they start north of I-20?  
22 Because at this point, we don't have anything high  
23 enough or equally high in concentration from the south  
24 and north side of I-20. So we're interested to see what  
25 has happened, whether we have a contributing source from

1 the north side or maybe there's another source that's  
2 present south of I-20.

3 We're also going to be looking to the area  
4 to the north of what the Lear property is. There, we  
5 want to start accessing on City of Midland  
6 right-of-ways, if we can work out an agreement with  
7 them. We're still talking with them about the kind of  
8 insurance and identification requirements. So if we can  
9 get access through there, we will be installing a series  
10 of wells along the north end there, to see what kind of  
11 chromium contamination, if any, is migrating into the  
12 area; and if it isn't, then maybe that we've got, at  
13 least, the top end of the source area identified for  
14 that area.

15 As we get all this data, we will be  
16 sharing this with you, as well, updating our site maps.  
17 And then we'll be going to the next round of well  
18 installation. Hopefully, we'll start to find the source  
19 area that we can identify.

20 Now, there's some -- I will show you some  
21 other a little bit more close up. The overall project  
22 schedule, what we're trying to accomplish is try to  
23 complete it toward the end of 2012.

24 The number of factors that can influence  
25 the schedule, and we'll update this as we go through the

1 project is, one, do we find more than one source area,  
2 is there just one source area; getting access agreements  
3 to install wells and collect the data, because a lot of  
4 this will start to be on private property and we'll have  
5 to work with the landowners to get that access. And  
6 then, of course, also, the cost for the project itself.

7 We already have funding for this project,  
8 so we can start our well installation. We can continue  
9 on with the sampling of the wells. Obviously, if this  
10 starts to expand into multiple source areas, if we start  
11 to have a large number of monitoring wells that we need  
12 to increase, that could impact the budget and how the  
13 project completion works out.

14 The feasibility study would be March  
15 of 2013, and this is the target for us, is having a  
16 Record of Decision, which is a summary of all the data,  
17 the risk assessment, who the source area is, as well as  
18 how the site can be cleaned up and what the cost is.  
19 And so that's the goal is for 2013.

20 As we go through the project and we  
21 have -- if there's issues that affect that schedule,  
22 then we'll adjust accordingly and keep everyone  
23 up-to-date.

24 I want to talk a little bit about the  
25 community involvement activities. As we go through this

1 process, there's going to be -- the terminology, the  
2 data. We have a couple of ways to assist the community  
3 advisory group. One is through the Technical Assistance  
4 Services For Communities and the Technical Assistance  
5 Grant. We have used both of these mechanism in the  
6 Superfund sites here in Texas.

7 The cost for the Technical Assistance  
8 Services, essentially, we have a contract and we have a  
9 contractor that can provide independent support for the  
10 community group. They're not the contractor that works  
11 for me doing the field work out there and collecting the  
12 data and writing the reports. What they do is they can  
13 provide explanations. They can help you understand the  
14 data, help you understand the process, the technologies  
15 involved. So it's like an independent contractor, but  
16 we pay for them, and they can provide support to the  
17 community group, as well. So that's one way. We've  
18 done this on a couple of projects. I know that their  
19 contract is expiring in May or June. There will be  
20 another one, and then we'll private fund it. So that's  
21 an option to help the community understand the process.

22 The contact is here. And June has summary  
23 sheets for both of these mechanisms to provide support  
24 to your community. The contact is Donn Walters. He's  
25 in our EPA Region 6 office.

1                   Like I said, June has the sheets. That  
2 way, you won't have to copy them down. And you can  
3 contact them directly to find out more about trying to  
4 get these assistance grants.

5                   And the other one is a Technical  
6 Assistance Grant. It's a little more -- has a little  
7 more administrative requirements. Typically requires  
8 some percent matching contribution, either from the  
9 citizens or in-kind services. So we provide bulk  
10 funding, and then the community will do something as far  
11 as organization. There has to be a true group forum,  
12 because there is administrative and reporting  
13 requirements of how that money is spent. However, it  
14 allows the community group to hire their own independent  
15 expert. And it's not an EPA contact. So there's a  
16 benefit there to the community group that can go hire  
17 whoever they want to, but there is reporting  
18 requirements to ensure that the money is spent on those  
19 activities. So it's a trade-off between someone having  
20 to do paperwork versus less paperwork on that.

21                   So there's -- this is the other option.  
22 And Janetta Coats in our EPA office is the contact for  
23 that. Again, it's on the sheet, so you can contact her  
24 and talk with her about the procedures for one of these.

25                   So that's a quick summary of where we



1 stand. Right now, the schedule is we're planning to  
2 start installing monitoring wells early in May, assuming  
3 we have all of our access agreements in place. We'll be  
4 installing those wells at this project, and when we're  
5 done, we should be moving over to Midessa and start  
6 installing wells there.

7 As we sample the wells and get the data  
8 back, then we will reassess where we are as far as  
9 source areas and the extent of the plume, adjust the  
10 well locations and go back out for another round of well  
11 installation. So we've got quite a few activities  
12 planned already for this year, and we'll just keep  
13 taking one bite at a time until we find the source and  
14 the responsible parties and we'll take it from there.

15 Yes, ma'am?

16 RESIDENT: So going back to where you were  
17 doing your monitoring wells and where you're going back  
18 to the west, I'm sure you're probably aware that we have  
19 a draw that runs down on the west side of Midland and  
20 comes down and --

21 (Reporter admonition to speak up)

22 MR. MALOTT: She asked if you could speak  
23 up some.

24 RESIDENT: I'm sure that you're aware of  
25 (inaudible) to do monitoring wells to the west of the

1 plume, that we have a draw that runs through the west  
2 side of Midland and down across Interstate 20 and back  
3 toward this area. At some point, if you're detecting  
4 any kind of chromes, will y'all be actually looking at  
5 that as a source?

6 MR. MALOTT: Well, we'll be -- you mean  
7 outside of this plume area here?

8 RESIDENT: Yes, sir.

9 MR. MALOTT: Well, if the -- the wells so  
10 far are planned within the plume area. So --

11 RESIDENT: Okay.

12 MR. MALOTT: -- at this point, there's not  
13 an effort or a plan to expand outside this current --  
14 the plume.

15 RESIDENT: Is there a way to tell, at this  
16 point, and obviously maybe not, if the migration is  
17 coming from the west, northwest, or possibly from the  
18 west?

19 MR. MALOTT: Well, we'll have water level  
20 data that we'll be using to build our flow maps and  
21 eventually the groundwater flow model for this area, and  
22 from there they will be using particle tracking to look  
23 at how the source migrated from where it was to  
24 essentially the plume it is now, using flow velocities  
25 as well as the characteristics of the aquifer that we

1 built as we collect data from these monitoring wells and  
2 the geophysical logging.

3 RESIDENT: Thank you.

4 RESIDENT: She was just saying it's where  
5 they just put in that I-20 wildlife refuge or whatever.  
6 It's a little bit -- that's what it's called.

7 MR. MALOTT: Further west?

8 RESIDENT: They just funded that deal, and  
9 they're fixing to -- it's for bird watching and this and  
10 that, and that's where she's talking about. It's just a  
11 main draw that -- it's kind of a retention basin for  
12 rainwater.

13 MR. MALOTT: Well, one of the things that  
14 hampers us through an investigation is when we look at  
15 the database, not all the private wells we have records  
16 of. So if you have a record from the well driller who  
17 installed the wells in this area, and you can share it  
18 with us, that's great. A lot of times, if you don't  
19 have records, we have to guess, make some assumptions.

20 The more well records that we have for an  
21 area, the better off we are, as far as assessing how  
22 those individual wells impact the plume or why  
23 concentrations differ between neighbors on individual  
24 wells.

25 Yes, ma'am, in the back?

1                   RESIDENT: I just wanted to add that  
2 Schlumberger has another plant on the other side of 80,  
3 and twice a week, they release a ton of water that goes  
4 running down Comanche Street and then crosses over to  
5 the draw in which Mrs. King was just talking about.

6                   MR. MALOTT: Okay.

7                   RESIDENT: And I would like to see y'all  
8 check into why they are releasing all that water twice a  
9 week, and enough to almost float a car down Comanche  
10 Street, and it runs into this draw that she's talking  
11 about and out towards us.

12                  MR. MALOTT: We will follow up and check.

13                  RESIDENT: I have several questions. Can  
14 I continue?

15                  MR. MALOTT: Yes.

16                  RESIDENT: How fast did you say the plume  
17 is moving right now?

18                  MR. MALOTT: Well, that's a good question.  
19 We don't know the plume itself. All I have is data  
20 that's been provided by other facilities. And so there,  
21 I think they estimated something 60 plus feet per year.  
22 And Schlumberger, I believe, the estimate was 120 feet  
23 per year.

24                  For comparison purposes in Odessa, we see  
25 average velocities in the hundred to 120 feet per year

1 for essentially the same sequence. There, the Ogallala  
2 is unsaturated. The Trinity is essentially all but  
3 saturated. So for the chrome sites that we have in  
4 Odessa, we have very similar flow velocities. So it's  
5 pretty similar between the two areas, even though  
6 they're separated by quite a few miles.

7 RESIDENT: Is it affected by rainwater at  
8 all?

9 MR. MALOTT: Well, the water levels are  
10 affected by the rainfall.

11 RESIDENT: But I mean, the movement of the  
12 plume?

13 MR. MALOTT: Well, the flow velocity  
14 itself is dependent on both the gradient, as well as the  
15 characteristics of the sand aquifer itself. We will run  
16 some pump tests to get a better idea. Because one of  
17 the things that could be affecting it is obviously some  
18 really high pumping demands on private wells or even  
19 some of the public wells. That could change some of the  
20 flow velocities, and that is something that we will be  
21 looking at, as well, because that will impact our flow  
22 model and exactly how the plume came to be in the  
23 current position it is.

24 RESIDENT: Midland has told us that they  
25 don't have water for us, so if y'all come in with a

1 Superfund, how are we supposed to get water to go in the  
2 site?

3 MR. MALOTT: Well, we have the same  
4 answer. There is not sufficient water supply to this  
5 date for this area. It doesn't mean that we won't keep  
6 asking. At some point, as we go through developing the  
7 alternatives for preventative exposure to the chromium  
8 plume, it's something we continue to follow up with the  
9 City of Midland. Obviously, it's not our water supply.  
10 We can ask and we can coordinate with them, but it is  
11 their city, and so I don't have any special powers to --

12 RESIDENT: So y'all can't sue the City?

13 MR. MALOTT: No.

14 RESIDENT: Okay. Because I had heard  
15 rumor that you would sue the City to get us water.

16 MR. MALOTT: We can pursue responsible  
17 parties for the contamination, but not the City. That's  
18 where our portion ends.

19 RESIDENT: Right. If you can find who did  
20 it?

21 MR. MALOTT: Right.

22 RESIDENT: Realistically, then, it's not  
23 going to be in our lifetime, the cleanup?

24 MR. MALOTT: No, the cleanup -- her  
25 question was, in her lifetime, I guess, cleanup of the

1 total groundwater plume. Well, there's really two  
2 factors on this. One, is whether that's all the plume  
3 there is. Two, if the cleanup standards change, so if  
4 an NCL will be lowered, let's say it's dropped to  
5 10 micrograms per liter instead of 100.

6 And what we've tried to do here on this  
7 map, just for reference, because we don't know if there  
8 is going to be a change in the hexavalent standard for  
9 chromium or whether it would stay at a hundred, what  
10 we've tried to do is plot both the 5 and the  
11 10-microgram per liter, just to show you what the  
12 greater extent of that contamination is.

13 If we had to clean up the entire plume,  
14 yes, it would be decades on the cleanup itself. It  
15 would be a very expensive project if it was a funding  
16 project. Again, hopefully we find a responsible party.  
17 But we'll see.

18 RESIDENT: So basically, what is the plan?  
19 To get anything that's over a hundred? Is that your  
20 remediation, your cleanup?

21 MR. MALOTT: Well, that's -- I'm trying to  
22 kind of lay the framework, but that would be contained  
23 in the Record of Decision in the proposed plan,  
24 explaining our cleanup. Right now, the drinking water  
25 limit is 100. So that -- for planning purposes, that's

1       what we work with.

2                       However, because they are reassessing the  
3       hexavalent chromium, that's why we're looking at a  
4       larger area than just the hundred. So for example, this  
5       is the boundary of the hundred micrograms per liter.  
6       Yet, total detections have been all the way down to  
7       here, and that's at five. So we will continue to  
8       investigate as if we may have a larger plume. And if  
9       the standard doesn't change or the draft assessment  
10      doesn't change the numbers that we're looking at, well,  
11      you know, we still have the data. But we'll proceed  
12      ahead.

13                    RESIDENT: I was reading on your site  
14      about the -- I can't remember where it's at, but the  
15      plating company that the United States Coast Guard have  
16      by one of the rivers, and you guys have just released a  
17      study of two years of a trench where you dug it and put  
18      the iron fillings in there, and it actually stopped the  
19      hexavalent chromium. Is that a consideration that you  
20      could do for the people that aren't --

21                    MR. MALOTT: I believe that was in South  
22      Carolina at a Coast Guard facility. That's one of the  
23      technologies that you can use, and it's called a -- it's  
24      essentially a treatment zone or a treatment wall. And  
25      it converts the hexavalent to trivalent chromium as the



1 groundwater flows through a specially-constructed wall.  
2 Essentially, it still has the same permeability or the  
3 ability for water to pass through that wall as it does a  
4 regular aquifer.

5 One kind of a drawback for this area and  
6 what we're seeing is that because the water is so hard,  
7 we have a lot of other material in that groundwater.  
8 The concern is going to be whether that reactive wall  
9 starts to plug up, with time. We have seen cases where  
10 the wall performance degrades between eight and ten  
11 years after installation. So there's some drawbacks  
12 with going with that approach. It is something that we  
13 would look at or consider during our screening approach  
14 with the technologies, and maybe there's something  
15 better by that point. But it is a passive approach,  
16 though.

17 RESIDENT: Thank you.

18 MR. MALOTT: Yes?

19 RESIDENT: I know you said you were  
20 60 feet per year or 120 feet per year.

21 MR. MALOTT: Right.

22 RESIDENT: Is it -- I guess I live further  
23 to the west. Do I need -- is it going to continue -- is  
24 it going to just go south or is it spreading out?

25 MR. MALOTT: Well, essentially what you

1     see here is the flow direction from, you know, from the  
2     sampling data itself. We don't have, obviously, the  
3     monitoring --

4                 RESIDENT: So we don't know if it's  
5     spreading wider?

6                 MR. MALOTT: Well, as you can see here,  
7     it's spread out in this area. There's a lot of pumping  
8     demand in that area. So the more pumping wells we have,  
9     the more chance it's going to disperse and move away  
10    from that central axis or the center line of the plume  
11    itself.

12                RESIDENT: It's basically like taking a  
13    straw and a big, like a plate of water. And if we quit  
14    using the water as much and we're over there on the west  
15    and you guys start using it more, then it's going to  
16    continue.

17                RESIDENT: That's what I wonder. I don't  
18    have it right now. I'm out of that plume right now to  
19    the side of it, but that doesn't mean that I'm --

20                MR. MALOTT: Right. And so we've got --  
21    we actually have the one well in the flank there to see  
22    whether we have -- again, we don't know if it's a  
23    uniform movement between both the Ogallala and the  
24    Trinity. As the plume crosses I-20, if there's higher  
25    concentrations on the other side, what we see is the

1 bulk of the contamination is in the Ogallala. And then  
2 as it moves in to the private wells, likely starts to  
3 have that mixing. But we'll need to assess exactly how  
4 badly the Trinity has been impacted.

5 RESIDENT: Mr. Malott, while we're still  
6 on this water subject, why two bottles on some and one  
7 bottle on some, on the testing?

8 MR. MALOTT: On the big bottles or the  
9 little bottles?

10 RESIDENT: Why would there be a little  
11 bottle and a big bottle on some wells and just a big  
12 bottle on the other wells?

13 MR. MALOTT: Well, the hexavalent chromium  
14 analysis does not go back to our contract or lab.

15 RESIDENT: So why didn't you test my well  
16 for hexavalent chromium?

17 MR. MALOTT: Well, sir, next time we  
18 change -- what's the concentration?

19 RESIDENT: But what's the criteria if  
20 you're looking to see where the plume is going, as far  
21 as the hexavalent chromium? Or is that red dot just  
22 based on -- or that red thing just based on total?

23 MR. MALOTT: It's based on total, not  
24 hexavalent.

25 RESIDENT: I see.

1                   RESIDENT: Sir, you were talking a while  
2 ago about you had interest in some of the companies that  
3 you were looking in. The Wood Group came up. Do they  
4 have a large concentration of chromium or is it  
5 follicles? What do you have?

6                   MR. MALOTT: No, it's trivalent.

7                   RESIDENT: It's trivalent?

8                   MR. MALOTT: Right. And that plume is --  
9 it's on the other map, but you may not be able to see it  
10 from there. It's really confined to this area up in  
11 here.

12                  RESIDENT: Another question and we're  
13 looking -- everybody is looking at this, and there's  
14 been all finger pointing toward Schlumberger. Is there  
15 anything, at this point, that you would be able to see  
16 that Schlumberger had that much chromes that you would  
17 even consider that?

18                  MR. MALOTT: Well, again, the site was  
19 listed as a plume with no defined source area. So we're  
20 starting with that, that we don't know the source.

21                  Again, at this point, the reason we have  
22 the question marks separating the chromium contamination  
23 that we have detected in this area versus the areas  
24 south of I-20 is the differences. So in this case,  
25 there's a well with over three milligrams per liter.

1 The well up here has a little over -- well, it's a  
2 little over .1 milligram per liter. So we don't see the  
3 high concentrations north of I-20. And it's something  
4 we will be looking at. Again, is it because  
5 everything's migrated out, the wells are not in the  
6 right spot, or they're not screened in the right  
7 interval, for comparison purposes? Or is it because  
8 we've got multiple source areas and we've got an area to  
9 the north and maybe an area to the south? What's not  
10 clear is how these relatively low concentrations, do  
11 they actually go all the way across I-20? Do they enter  
12 in that area or is there other areas that we haven't  
13 seen yet with high concentrations that just hasn't been  
14 detected?

15 It's really -- the chrome sites that we  
16 have in Odessa, we don't see the source areas where it's  
17 just essentially very low levels. We always see at  
18 least some wells that have high concentrations similar  
19 to what's in the rest of the plume. And so right now,  
20 we're going to be looking to see if we can find those  
21 high concentrations north of I-20.

22 RESIDENT: So what we're seeing is no  
23 source area, everything kind of gets slowed down, and we  
24 get in a funding bottleneck. Correct me if I'm wrong,  
25 please, if we find the source area, then money comes in

1 from them, which hastens cleanup. No source area, no  
2 money, no water from Midland, because obviously they're  
3 running a big old pipeline out 191, and I don't even  
4 know where my County Commissioner is at.

5 RESIDENT: Right here.

6 RESIDENT: Excellent. What's going on  
7 with our --

8 COMMISSIONER: I can't answer you anything  
9 about the City of Midland, because that's a different  
10 entity. A lot of guys -- I have been talking to some of  
11 the council members and the mayor, but that's the best  
12 thing I can do.

13 RESIDENT: How often is this brought up?

14 COMMISSIONER: It's brought up pretty  
15 often. As a matter of fact, I just met with some of  
16 them yesterday.

17 RESIDENT: Yesterday, the day before this  
18 meeting? I got my well results the week before this  
19 meeting. I got my well tested a day before this  
20 meeting. And then what happened in the four months  
21 prior?

22 No, I'm really just kind of frustrated.  
23 I'm sorry if it sounds like aggravation. But I'm just  
24 really frustrated, and I'm not getting any good answer.  
25 This is the same answers I got at our TCEQ meeting. God

1       bless them. They did a great job, but I'm just...

2               MR. MALOTT: Well, the sampling results  
3       that we saw from November-December, we didn't see,  
4       really, a change in the plume from what had been  
5       detected earlier. That's why we're sampling again to  
6       see if there's a change in the plume before we start the  
7       monitoring well installation.

8               So the private well data provides a  
9       starting point for us to start installing monitoring  
10      wells to assess what the plume looks like.

11              RESIDENT: And Mr. Malott, why wasn't my  
12      well tested for hexavalent chromium?

13              MR. MALOTT: I don't know where your  
14      well is.

15              RESIDENT: I can break down my magnifying  
16      glass or we can blow it up big on the screen and I could  
17      point at it. You know, with TCEQ it was a big deal  
18      about confidentiality, so I don't know.

19              MR. MALOTT: Well, after the meeting, let  
20      me know your address and we can see where the -- where  
21      your address is and figure something out.

22              RESIDENT: Okay. I'm concerned. I don't  
23      even know if I can water my garden or what.

24              RESIDENT: Yeah. Is there any studies --  
25      do you guys have any studies on the plants? I mean, I

1 know you have it in the soil, but what about our  
2 gardens?

3 MR. MALOTT: Well, the Texas Department of  
4 Health Services will look at that issue, as well.  
5 There's been questions about the chromium in pecan  
6 crops, vegetable gardens. You know, the material  
7 safety -- they've actually talked to some folks at Texas  
8 A&M. And please feel free to talk with them and they  
9 can give you what they found out.

10 Basically, the hexavalent, when you do the  
11 analysis, it shows up as trivalent, and so the chromium  
12 is in a more benign form than the hexavalent. So it's  
13 really difficult to assess whether there has been any  
14 impact at all.

15 In the concentrations that may impact a  
16 pecan tree, likely we see the tree itself suffering as  
17 far as the growth and appearance itself.

18 RESIDENT: If your plants are affected,  
19 what will you see? Are they yellowing? Do they grow in  
20 a deformed shape? Odd-shaped fruit? I mean...

21 MR. MALOTT: I don't know about that. I  
22 don't have that kind of information. Probably more  
23 focused on what's happening in the soil, if the wind is  
24 blowing dust in the soil and exposing the pathway.  
25 Obviously, hexavalent chromium from an exposure



1       standpoint, an inhalation is a primary concern, so that  
2       would be another way to be exposed besides just --

3               RESIDENT: I'm sure when we take a shower  
4       in the winter and we're breathing it in --

5               (Reporter admonition to speak up)

6               RESIDENT: You know, yeah, when we take a  
7       shower with hot water in the winter, you're breathing it  
8       in. But you know, you guys talk about these maximum  
9       limits that you have. And I know the last time you  
10      raised the chromium was, what, '91, '92? Last time  
11      y'all --

12              MR. MALOTT: It was raised from 50 to 100.

13              RESIDENT: Right, in '91, '92? It's been  
14      a while. But I mean, yeah, you know, we ingest this.  
15      It's not like -- for us, it's not okay, we have come in  
16      contact with a big amount of it and then we walk away  
17      and we're not exposed. We are being exposed every day,  
18      day in and day out. This is long-term exposure. And  
19      I've been looking over the rat studies, you know. And  
20      when asked, you know, is there any health affects for  
21      us, and it's like, oh, well, you know, we have  
22      gastrointestinal stuff, that's not what your lab rats  
23      are saying. That's not what your tests are saying. You  
24      guys are seeing cancer increases that you are not  
25      forthcoming about to us. You can find it if you dig and

1 you work and you spend hours looking for it, but you  
2 guys have done several studies. The studies are out  
3 there. So I mean, we're getting it in our soil, we're  
4 getting it in our water, we're drinking it. But we're  
5 not just getting exposed and walking away. It's day in  
6 and day out.

7 But as far as even the plants, I mean,  
8 there's -- look at all the sites in Odessa alone.  
9 They've been there for a long time. It just seems like  
10 you guys would have more stuff. You've got plenty of  
11 ample opportunity. I mean, there's lots of dirty spots  
12 that you have had for years. Why aren't some of our tax  
13 dollars going to study this stuff?

14 MR. MALOTT: Well, and part of the -- is  
15 the right analysis of the plant tissues themselves, how  
16 you detect the hexavalent chromium. The cases they have  
17 seen so far where they analyzed the plant tissue is  
18 showing up as trivalent. So the plants are converting  
19 the chromium to that state. So the exposure is  
20 different through a plant tissue.

21 It is a very difficult analysis in order  
22 to get a true assessment of what the health impact is.

23 RESIDENT: (Inaudible.)

24 (Reporter admonition to speak up)

25 THE INTERPRETER: Can she repeat the

1 question, please?

2 MR. MALOTT: She had a question on what is  
3 the -- what is the level of chromium that the plants are  
4 being exposed to. And I don't have that information.  
5 But I mean, the researchers at Texas A & M --

6 RESIDENT: The studies I was looking at,  
7 they were only like 200 parts per billion, where we're  
8 looking at our neighbors with over 5,000 parts per  
9 billion.

10 RESIDENT: Well, it was supposed to be the  
11 ones that they are actually injecting the rats and stuff  
12 with that. (Inaudible.)

13 MR. MALOTT: And as far as the health  
14 affects, that's -- that's outside my area of expertise.  
15 I would imagine it would be contained in the assessment  
16 coming out on the hexavalent chromium, and then also the  
17 representatives from Texas Department of Health  
18 Services.

19 UNIDENTIFIED SPEAKER: We can speak with  
20 you after the meeting, if you like, and discuss with you  
21 what you like.

22 RESIDENT: We're talking about all the  
23 dangers and the health problems existing to all of us.  
24 Many of us are sick. Many of us have lost animals and  
25 are still losing animals, and it's getting worse by the

1 day. It's not getting better. It's getting worse.

2 Have y'all had any data? I know that EPA  
3 does data. I know the Health Department does data. CDC  
4 has done data. Have y'all gone to any of your national  
5 laboratories and have you sent any samples to any of the  
6 national laboratories to give us an answer in what  
7 really is the situation here and how it can be dealt  
8 with?

9 MR. MALOTT: An analysis of what kind of  
10 samples?

11 RESIDENT: Your water, your soil,  
12 whatever.

13 MR. MALOTT: Well, the water samples goes  
14 through the EPA Houston laboratory or the EPA contract  
15 laboratory on that. That's who does the analysis for  
16 us.

17 RESIDENT: Do you have any data at all or  
18 can you get me data from any of your national  
19 laboratories, like Sandia or some of them -- you've got  
20 one on the eastern seaboard, you have got one in  
21 California that might help give people data on what they  
22 possibly would need.

23 MR. MALOTT: And I'm not quite sure on the  
24 kind of data that you're looking for. Data from the  
25 groundwater sample?

1                   RESIDENT: From the groundwater samples,  
2 from the actual soil samples of what has been happening.

3                   MR. MALOTT: The soil samples will be part  
4 of the investigation when we assess what the impact is  
5 to residential yards, from just using historic use of  
6 the high concentrations in water wells. The water  
7 samples themselves, though, go through our own  
8 laboratory program. So the analysis that you're  
9 provided on these wells is through either the Houston  
10 lab or through our contract program.

11                  RESIDENT: One more question, sir. Is it  
12 possible, you know, I know that you -- that the chromium  
13 levels can be detected in the blood. So I mean, we've  
14 got the Health Department here for people that are -- I  
15 was wondering why the Health Department hasn't offered  
16 to test the people to see if they have chromium in their  
17 blood, if they're concerned, the people that feel like  
18 they might be getting sick from this?

19                  MR. MALOTT: And I couldn't explain that,  
20 but Tina can. Tina?

21                  MS. TINA WALKER: We thought about doing  
22 biological sampling, because a lot of information you  
23 read says you can test hair, blood, urine for chromium.  
24 The problem is that it doesn't tell you that the only  
25 result you get is Chromium III. So there is no way to

1 do biological samples as to how much hexavalent chromium  
2 you're exposed to, because once it reaches the body, it  
3 converts to III. And so when you do a biological  
4 sample, it just gives us III.

5 RESIDENT: Yeah, but if you have a hundred  
6 times the normal limit of trivalent --

7 MS. TINA WALKER: That's part of the  
8 problem, too. Because your body has to have Chromium  
9 III to process protein, sugars and fats. And so it's --

10 RESIDENT: It's not in huge quantities.

11 MS. TINA WALKER: In some people, it is,  
12 because you can get it from a lot of different sources.  
13 And I understand what you're saying and I'm not saying  
14 that you're wrong.

15 What I'm saying is that it's hard to find  
16 a lab that will do biological sampling for -- if someone  
17 is looking for hexavalent chromium, because they're  
18 going to give us total chromium. I mean, that's all  
19 they're going to do.

20 RESIDENT: All I'm saying is maybe if you  
21 guys would ask us -- like, for example, they've lost  
22 several pets. I mean, you know, maybe they're willing  
23 to have a necropsy to find out.

24 MS. TINA WALKER: We can't do animals.  
25 We've had issues with other sites and you can't --

1                   RESIDENT: Well, you guys need to change  
2 your way of thinking, because this whole world is just  
3 getting more and more polluted. There's hardly anywhere  
4 you can go anymore that there is safe drinking water.  
5 It's not getting any better. So you guys have to come  
6 out and start changing and look. I mean, we're killing  
7 our planet, and it's not getting any cleaner. So you  
8 guys have got to come up and start changing your  
9 standards so you can start being more progressive in  
10 keeping up with the filth that we've all put in our  
11 planet. I'm ashamed to be a person, most of the time.

12                  RESIDENT: And with Cindy and Brian --  
13 with Cindy and Brian, I can't remember the last dog that  
14 I buried in the last five years from natural causes.  
15 It's all been some funky cancer. Not old dogs, young  
16 dogs, old dogs. They're out there laying in it and  
17 they're drinking it.

18                  MS. TINA WALKER: And I do hear what  
19 you're saying. And we have the same problem at another  
20 one of the sites we're working on. Because we are the  
21 Health Department and we are dealing with people, they  
22 will not let us deal in the animals. We've tried at  
23 this other site to try to get them hooked up with people  
24 that are willing to test the animals, and maybe that's  
25 something that we need to look at here. The Health

1 Department can't do it, but there are people out there  
2 who are willing to look at it. And we can try to work  
3 with you to see if we can get them tested. But the  
4 Health Department can't do it.

5 RESIDENT: Well, what have you learned  
6 from wherever you go, whatever you guys learn, it's  
7 going to help other people later on when they get  
8 contaminated soil, water, air?

9 MS. TINA WALKER: I agree with you,  
10 because it -- like in the other site that we're working  
11 on, the question was are the animals acting as sentinels  
12 for human health? And so it took us several years to  
13 find somebody outside of the Health Department that  
14 would come in and start looking at the animals. There  
15 has just now been -- it's been six years since I first  
16 started trying to get people to look at it.

17 RESIDENT: The plants, the animals, all of  
18 it --

19 MS. TINA WALKER: No, I understand. We  
20 want to get a whole picture. You want to look at  
21 everything. I do understand that.

22 RESIDENT: Well, it would just be so much  
23 more beneficial for y'all in the future.

24 MS. TINA WALKER: It would be beneficial  
25 for everybody.



1                   RESIDENT: When they looked at the plague,  
2 they were testing the animals.

3                   RESIDENT: I just want to know what else  
4 you've got to put before us tonight?

5                   MR. MALOTT: That's it as far as the  
6 information that I have for you. So it's strictly  
7 question and answer.

8                   RESIDENT: Okay. I just wondered if you  
9 had anything else you needed to do.

10                  MR. MALOTT: I've said mine, other than  
11 explaining something I've said before.

12                  RESIDENT: Okay.

13                  RESIDENT: Did you change the numbers,  
14 like the test well numbers? Will our well number still  
15 be the same as it was with TCEQ?

16                  (Reporter admonition to speak up)

17                  MR. LUIS VEGA: Folks, we want to have the  
18 court reporter write all of your questions down so we  
19 can document it. That's why I'm trying to run around  
20 here.

21                  RESIDENT: I want to know if y'all changed  
22 the identification numbers to our wells or are they  
23 still the same?

24                  MR. MALOTT: All the well numbers have  
25 stayed the same. We have added new well numbers as

1 we've come across wells.

2 One of the things that we found is that  
3 we'll go to a home that's now vacant, phone number  
4 doesn't work where we can't get hold of the resident  
5 that used to be there or who owns the property.

6 So we also find that there are multiple  
7 wells on some properties. So we've actually been  
8 assigning new numbers for those ones, because that gives  
9 us a point of reference then for other potential  
10 pathways for migration.

11 There's also been some location for us to  
12 do a geophysical log and find additional there.

13 RESIDENT: So you're saying my well number  
14 is the same as it was with TCEQ when we started in '09?

15 MR. MALOTT: We can check the record.

16 RESIDENT: Because we've been consistent  
17 where they've tested all the way through.

18 MR. MALOTT: We used a database that was  
19 developed by TCEQ and, of course, they built on to it.

20 RESIDENT: The obvious reason I asked is,  
21 on the map, I couldn't find our well number.

22 MR. MALOTT: Okay.

23 RESIDENT: How many more test wells are  
24 you going to do prior to --

25 MR. MALOTT: Well, I don't have an answer.

1 And the question is, until we know the source, until we  
2 get the plume defined, then we will know we have enough.

3 RESIDENT: How many have they got at this  
4 point right now?

5 MR. MALOTT: We have not put in any.

6 RESIDENT: No?

7 MR. MALOTT: Huh-uh. But we have done the  
8 first round of sampling the private wells. We are doing  
9 another round this week. We have been working with  
10 Midland County, the City of Midland, private landowners,  
11 TxDOT to get access. And so we have been going through  
12 that process.

13 RESIDENT: I was told two different times  
14 that they will come out and check mine out and never  
15 shows up and never try to call.

16 MR. MALOTT: Okay. When was this?

17 RESIDENT: They called us and said that  
18 they would be in town that week and they would test, but  
19 they never did test.

20 MR. MALOTT: And was this back in  
21 November?

22 RESIDENT: That was the last time.

23 MR. MALOTT: Okay.

24 RESIDENT: November was the last time.

25 MR. MALOTT: All right.

1                   RESIDENT: Right after we had the last  
2 meeting down up here, they were supposed to have been  
3 out there about a week later and never did.

4                   MR. MALOTT: Okay. Well, if you can stick  
5 around a little bit as we end, and we will get that  
6 information --

7                   RESIDENT: I will.

8                   MR. MALOTT: -- figure out where you are.

9                   RESIDENT: Yeah, we're outside of -- we're  
10 just west of it.

11                  RESIDENT: About a block and a half from  
12 the neighbor right there.

13                  MR. MALOTT: Okay. All right.

14                  RESIDENT: Appreciate it.

15                  MR. MALOTT: Yes?

16                  RESIDENT: One other question, then I  
17 quit. I follow on your map that you have up in the  
18 north side, by Horseshoe Arena. Is that the pit we're  
19 seeing where all that is?

20                  MR. MALOTT: Well, if you're talking about  
21 the pit or the caliche pit, that's actually on this  
22 piece of property right in here.

23                  RESIDENT: Okay. That's pretty much where  
24 all that is?

25                  MR. MALOTT: That's where the old caliche

1 pit that you see on the aerial photos.

2 RESIDENT: Yes.

3 RESIDENT: (Inaudible.)

4 (Reporter admonition to speak up)

5 MR. MALOTT: If you could speak in the  
6 microphone so the court reporter --

7 RESIDENT: It comes right up the edge of  
8 there.

9 RESIDENT: I'm just curious, you know,  
10 back -- I couldn't tell if that first part of it was up  
11 where the old AMF Tuboscope is at. They told me it was.

12 RESIDENT: On the map problems, sir, if  
13 you guys turn that sideways, then you can get a bigger  
14 map in the mail. You know, you were talking about maybe  
15 doing it in two.

16 MR. MALOTT: Yeah, we'll change it where  
17 maybe we split the map and show one half in one side and  
18 the other half on the other. That would also allow us  
19 to enlarge the picture.

20 RESIDENT: And we don't have our web site  
21 listed on the flyer or link to the page that you guys  
22 are going to be getting to us so we can get updates on.

23 MR. MALOTT: Okay. We'll add that and we  
24 will put that link in there, as well. So when we send  
25 that back out --

1                   RESIDENT: I mean, with TCEQ, they used to  
2                   send us notifications when they update the site. So  
3                   maybe that would be something that you could do for us,  
4                   too.

5                   MR. MALOTT: So is that something people  
6                   want, as well? Because it's a question of what's the  
7                   best way to share data. So --

8                   RESIDENT: The web site, mail-outs,  
9                   something that -- anything really important coming up.

10                  RESIDENT: We're starved for information,  
11                  basically. We want everything that you have.

12                  MR. MALOTT: Yes?

13                  RESIDENT: Do you have names with the  
14                  numbers?

15                  MR. MALOTT: We do.

16                  RESIDENT: I think that our numbers have  
17                  been -- instead of listing it as 013, it looks like it's  
18                  031 on the map.

19                  MR. MALOTT: Okay. We can check against  
20                  that. If you'll leave your information with either  
21                  Jason or June, and we can check against our records to  
22                  make sure it's going to the right spot. Any other  
23                  questions? Yes?

24                  RESIDENT: If you do find who did it and  
25                  you start the cleanup and everything, how long is it

1 going to last or how long will it be or --

2 MR. MALOTT: How long will the cleanup  
3 take?

4 RESIDENT: Are y'all going to try to clean  
5 it up?

6 MR. MALOTT: Yes, we will try to clean it  
7 up. You know, the aquifer is something that's used as a  
8 drinking water supply.

9 RESIDENT: The only reason I ask is they  
10 told us a while, maybe a year ago, that it would take  
11 40, 50, a hundred years to try to clean it up.

12 MR. MALOTT: We don't have an estimate for  
13 how long, but it would be decades in order to get  
14 something this large. Yes, it would be an extensive  
15 cleanup. And again, the plume --

16 RESIDENT: Why can't Midland bring us  
17 water?

18 MR. MALOTT: If there's a water supply  
19 that we can extend and we can look at what's the best  
20 way to deliver that, and we can go from there. Right  
21 now I don't have a water supply.

22 RESIDENT: I don't mind paying a water  
23 bill.

24 RESIDENT: That goes back to our County  
25 Commissioner, County elected officials, ma'am. I'm

1       sorry. I wished I had an answer for you.

2               RESIDENT: We know that, but we know that  
3 Midland doesn't have water. But I'm saying bring us  
4 water where we can have our own water.

5               MR. MALOTT: Well, if -- and I cannot  
6 create a water utility district for you. I can't create  
7 that. Someone has to be able to manage the system, if  
8 they're going to do a tax, however they're going to fund  
9 themselves, whether it's through the rates or tax,  
10 whatever. I can -- I can make connections to  
11 households, but someone has to have the water.

12              RESIDENT: This goes back to my  
13 conversation with you earlier today and a couple of  
14 weeks ago, about looking at the source that we  
15 discussed, and if it's pliable. We may have a source,  
16 folks, within three miles of us. We may have. It's not  
17 definitive, but if it's there, you will have the  
18 opportunity.

19              I also know a person that's started his  
20 own water district and did it for much, much less money  
21 than what we've been hearing about in the newspapers,  
22 okay? All I can tell you is this is going to be up to  
23 Mr. Malott to get somebody out to possibly grant us the  
24 water, to see if it's pliable. And then we can make  
25 some kind of arrangements as a group to go from there.



1                   MR. MALOTT: But again, someone will have  
2 to form that utility district if they're going to do  
3 that, and how they're going to supply the water.  
4 Because what we don't want to do is lay a lot of  
5 expensive pipe and make connections and then have no  
6 water supply. So there's a lot going on in the other  
7 side besides, you know, running it to the property and a  
8 well. You have got to make sure someone is going to run  
9 that system, and they have to comply with all the  
10 regulations of the State as far as a public water  
11 supply. Monitoring and testing and recording.

12                   So someone's going to have to step up and  
13 say, yeah, they want to take on that responsibility.  
14 Also, how they're going to pay for it.

15                   RESIDENT: When will you be -- are we  
16 going to have another meeting in the future? Are you  
17 going to kind of stay with us quarterly?

18                   MR. MALOTT: We can. We can set up  
19 another meeting. Once we have data from the well or  
20 something to change and report, we can do it as fact  
21 sheets, or maybe expanded fact sheets and give you maybe  
22 more detail that way. It just depends on what's the  
23 best way. Does somebody want to sit down and read it at  
24 their dinner table or do they want to come down to the  
25 Midland Center here for a meeting? Some people like it

1 both ways or one or the other.

2 RESIDENT: I'd just like to get all the  
3 information that you have in a timely manner, you know,  
4 because knowledge is power for us. And I just don't  
5 want us to be caught. And I know you can only do so  
6 much, but you know, coming today and then not seeing you  
7 for eight or nine months is kind of alarming.

8 And I'm sorry, I wish there's a lot of us  
9 back here, and I don't -- you know that -- you know how  
10 many people are out there.

11 MR. MALOTT: Right.

12 RESIDENT: I don't know why the attendance  
13 was better at the Horseshoe than it was here, but it  
14 seems like when we come to meetings here, the attendance  
15 is never very high. I know everyone is concerned about  
16 their water, and I know some people are afraid to speak  
17 out.

18 MR. MALOTT: Well, we'll try different  
19 ways to do outreach and get the information to people.  
20 And we'll find a way that works best for maybe the  
21 majority, and maybe there's another way that works best  
22 for you.

23 RESIDENT: Maybe you need to look at Skype  
24 or something like that.

25 MR. MALOTT: There's always something.

1                   RESIDENT: All right. Thank you.

2                   MR. MALOTT: Yeah. Well, if there is no  
3 other questions -- yes?

4                   RESIDENT: Who do you approve of locally  
5 to -- if we take our own water sample --

6                   MR. MALOTT: I don't approve of any local  
7 labs. I can't give you an endorsement. I can't --

8                   RESIDENT: Okay. The value of your  
9 property, if you're contaminated, it will be low.

10                  MR. MALOTT: That's strictly between --

11                  RESIDENT: Between the tax people and  
12 the --

13                  MR. MALOTT: And the Tax Appraisal  
14 District. So I'll be here, the representatives from the  
15 Texas Department of Health Services will be here, as  
16 well as TCEQ. If there's other questions or you want to  
17 see maybe where your property is on this map, I will --  
18 I'm here, and as long as y'all want to stay or until  
19 they close us.

20                  RESIDENT: Are these two joined together?

21                  MR. MALOTT: Well, that's what we want to  
22 find out is exactly how does the chromium that we  
23 detected north of I-20 impact what is south? Because  
24 the concentrations are so different. It's very high  
25 south of I-20, and it's relatively low levels north of

1 I-20. And so we need to understand is that just a small  
2 contributor source or is there another larger source  
3 that we haven't found yet?

4 RESIDENT: Well, do they run together or  
5 is that just separate? There's nothing up --

6 MR. MALOTT: Well, we just don't know how  
7 those low concentrations go away or does it increase?  
8 So that's one of my things is that we're installing  
9 monitoring wells to find out. That's just a really big  
10 difference between what's south of I-20 and north of  
11 I-20.

12 RESIDENT: Well, I just wondered if it was  
13 supposed to run together or what?

14 MR. MALOTT: And that's what we don't  
15 know. We don't know.

16 RESIDENT: I guess in a year from now I  
17 want to know if it went 60 or 100 feet sideways --

18 MR. MALOTT: We'll have -- we'll have a  
19 better idea in what the dispersion is of that plume as  
20 it goes out.

21 RESIDENT: We got some literature, but we  
22 don't know how to --

23 MR. MALOTT: Sure. I will be happy to go  
24 over that.

25 (MEETING CONCLUDED)

1 THE STATE OF TEXAS )

2 COUNTY OF MIDLAND )

3 I, Jane McGill, Certified Shorthand Reporter  
4 Number 1759 for The State of Texas, do hereby certify  
5 that the facts stated by me in the caption hereof are  
6 true, and that I did, in computerized stenotype  
7 shorthand, report said proceedings and that the above  
8 and foregoing pages contain a full, true and correct  
9 computer-assisted transcription of my computerized  
10 stenotype shorthand notes taken on said occasion.

11 I further certify that I am neither counsel  
12 for, related to, nor employed by any of the parties in  
13 the action in which this proceeding was taken, and  
14 further that I am not financially or otherwise  
15 interested in the outcome of the action.

16 Witness my hand this 15th day of April, 2011.



21  \_\_\_\_\_

22 JANE MCGILL, CSR  
23 CSR No. 1759 - Expires 12/31/11  
24 Permian Court Reporters, Inc.  
25 P.O. Box 10625  
Midland, Texas 79702  
TEL: 432-683-3032  
FAX: 432-683-5324